

MAY 07 2004

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Brian Siegel
Filed : 8/29/2000
Serial No. : 09/650,034
Confirmation No. : 8387
Group Art Unit : 3624
Examiner : Sally Shih
Docket Number : SNY-P4055.01
Title : Method to Electronically Track Personal Credit
Information

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Jerry A. Miller, Reg. No. 30,779
(Applicant, Assignee or Reg. Representative)

Signature

May 7, 2004
Date

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This communication is responsive to the Restriction Requirement dated May 3, 2004, in which claims 1-15, 7-28, 30 and 39-44 were restricted as Group I and claims 16, 29, 31-38 and 45-53 were restricted as Group II. Applicant hereby provisionally elects with traverse the invention of Group I.

Applicant respectfully submits that although separate subclasses may have been established for the two Groups, the main classification identified by the Examiner is the same for both Groups. Class 705/39 relates to "funds transfer or credit transactions" while class 705/14 relates to "distribution or redemption of coupon, or incentive or promotion program". It is noted that in the case of th

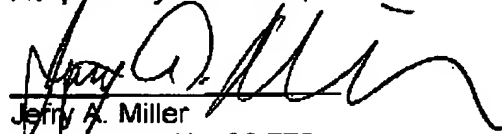
Serial Number 09/650,034

Page 1 of 2

present invention, "distribution of loyalty points" is commonly carried out when a "credit transaction" is conducted. Accordingly, it appears that the subject matter potentially overlaps both classifications, and thus an overlapping search is believed appropriate and is not believed to be an undue burden in view of the multiple searches that have already been conducted for this application.

Applicant further respectfully requests reconsideration of the restriction in view of there having been four prior Office Actions in the present case and several associated searches. It is further noted that having already borne the burden of responding to four Office Actions without restriction, this late imposition of a restriction requirement is costly and burdensome for the Applicant's assignee and contrary to the concept of compact prosecution. Such restriction is believed to be more proper early in prosecution and preferably prior to a first Office Action. Reconsideration of this restriction and allowance of all claims is respectfully requested.

Respectfully submitted,



Jerry A. Miller
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Dated: May 7, 2004

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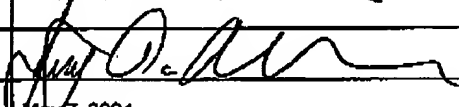
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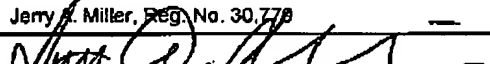
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/660,034	
	Filing Date	Aug 29, 2000	
	First Named Inventor	Siegel, Brian	
	Art Unit	3624	
	Examiner Name	Sally Shih	
Total Number of Pages In This Submission	3	Attorney Docket Number	SNY-P4055.01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): RESPONSE TO RESTRICTION REQUIREMENT
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